



July 9, 2024

Chief Judge Margo K. Brodie  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**RE: In Re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation**  
**Case No. 05-MD-1720 (MKB)**  
**Claimant ID: CAA96EF69A**  
**Jenne Corp. – Tax ID \*\* - \*\*\*5083**  
**Jenne Inc. – Tax ID \*\* - \*\*\*6172**

Honorable Judge Brodie,

This correspondence is meant to advise the Court in its role as the overseer of the settlement in the above case. Specifically with troubles experienced and (apparent to me) still present with the Class administration procedure/portal. I write as counsel for a claimant that has submitted a claim with the Portal in the above matter. I address my concerns to Your Honor in the spirit of an officer of the Court; however I have not made a formal appearance in this matter on behalf of my client-company (Jenne Corp. & Jenne Inc.)

My client (Jenne Corp.) was originally advised in December 2023, via regular US mail, of the Settlement via receipt of the Court-Approved Claim Form. I personally set up the Submission of the Claim Online via the Class Administrator's online portal. Immediately, it became apparent that the numbers within the Claims Administrator's portal were woefully low for the amount and volume of credit card transactions undertaken by our company over the class period. The initial estimated amount of Visa/MC transactions on the initial Claim Form was listed as 1471 transactions and volume of \$842,038.38.<sup>1</sup>

After submission of the claim form through the Portal, I solicited additional information from the Claims Administrator on December 26, 2023. In the initial request I asked the Claims Administrator to provide an updated list of transaction from 2009 through 01/25/2019 as the fees listed (at that time) only appeared to include the years 2004-2008. On February 2, 2024 I received an email from (Epiq Global Notifications) the Claims Administrator indicating that "[T]he additional data file contains 8 rows of additional details regarding your Vissa and/or MasterCard transactions. (Emphasis added) upon review, there was no such "additional" information present in the Portal. To date, I have not received (nor does the portal show) any updated figures from the Claims Administrator.

Having not seen any additional information from the Claims Administrator, I contacted via phone, the Claims Administrator. I explained the issue and was confronted by an individual who did nothing but read prepared responses to me to my detailed and nuanced questions pertinent to my company's transactional history. As a result

In fact, our internal calculations indicate that we have had combined 10s of 1000's of transactions of Visa/MC sales of \$130,652,442.78 from 2012-2018, alone.

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of this apparent obfuscation, I directed an internal undertaking of our transactional records to ascertain a more accurate amount of transactions and dollar amounts involved within the potential defined class period. This was no small undertaking as most information had to be found in closed paper and electronic files, given the length of time of the Class Period.

Our internal calculations indicated that the charged fees for 2012-2018 (6 years of the 15 year Class Period) total \$2,082,531.23 in Visa Fees and \$1,125,687.69 in MC fees on combined Visa/MC sales of \$130,652,442.78 during the 6 year period.

All of the above numbers were then systematically quantified upon an Excel Spreadsheet, the hard documents transferred to .pdf (where possible) and a complete submission of the claims, with a cover letter of explanation was submitted to the Claims Portal on May 7, 2024. [Confirmation Code ZPDDXGEA] was received. A Notice of Deficiency was received on May 9, 2024; and the information was re-submitted. Another Notice of Deficiency was received on May 24, 2024 and the information was again re-submitted on May 30, 2024.

Throughout the past 6 months myself and our company's accounting department have spent in excess of 30-40 hours compiling and submitting the documentation to the Claims Administrator through the Claims Portal. I have spoken on at least three occasions to actual human beings on the end of the phone at the Claims numbers. Each time, they have merely read from prepared statements and paragraphs of prepared prose in response to my questions. The entire time – my only concern is to ensure that the appropriate facts, evidence and documents (all of which should already be in the hands of the Claims Administrator) are being used to calculate the loss associated with Jenne Corp. and Jenne Inc.'s losses in this case.

A thorough reading of Your Honor's orders and submissions indicates that the Claims Administrator and counsel should have all of the necessary information to calculate the appropriate amounts due and owing each Claimant under the rubric of the calculations approved by the Court to effectuate the \$5.5 Billion settlement in the first place.

My concern is that a professional corporate accounting staff, and a professional 30 year practicing counsel – have been unable to ensure that the necessary information (although submitted) has been actually assessed, reviewed, evaluated or is even being looked at in order to ensure the efficacy of the Claims process as it relates to Jenne Corp. and Jenne Inc. To this date, the Portal still shows the original calculations based upon 1471 transactions !

As I've been through the utter inanity of this process, I have been irritated and, frankly, nauseated, to think that if a company that has (likely) over a Billion Dollars in transactions during the Class Period cannot get a straight answer from the Claims Administrator as to whether it has submitted the necessary information (we believe we have given our record limitations) – then what is occurring to the average person who might have a few thousand dollars involved ?



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I will continue to submit – as your order directs – to the Claims Administrator and hope to ensure that my company is adequately and appropriately compensated under the terms of the approved settlement. But as an officer of the Court – I simply thought you should be made aware of the potential (and to me readily apparent) problems in the administration of your approved settlement. I welcome any questions you may have regarding any of the above information and concerns.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James P. Sammon', written over a horizontal line.

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